

### **REMARKS**

Claims 1-20 are pending. Claims 1-20 have been rejected. Claims 5 and 8-10 have been amended. No new matter has been added.

Claims 5-12 have been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The claims have been appropriately amended. Therefore, withdrawal of the rejections of claims 5-12 under 35 U.S.C. § 101 is respectfully requested.

Claims 1-4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Olsen (US 2004/014862) in view of Hohmann et al. (US 2005/0256965) and Fuh et al. (US 2004/0073870). It is respectfully submitted that claims 1-4 are allowable over the art of record for the reasons set forth below.

Claim 1 includes the features of including nodes within a XML schema to define characteristics of a non-XML data stream, and annotating the nodes with property information pertaining to the schema level of the nodes. Thus, nodes that define characteristics of a non-XML data stream are annotated with property information pertaining to their schema level. Such annotations of nodes that define characteristics of a non-XML data stream are neither taught nor suggested by the prior art, taken alone or in combination.

As acknowledged in the Office Action (bottom of page 4), Olsen and Hohmann do not disclose annotating the nodes with property information pertaining to the schema level of the nodes.

The Office Action then states that Fuh discloses “annotating the XML schema with said nodes with property information pertaining to the schema level of the nodes”. Fuh describes an annotated tree and an Annotated Automaton Encoding (AAE) format into which an XML schema is compiled (paragraphs [0026] and [0031]-[0047]. In an annotated tree, the annotations are the attributes for the element nodes and data type constraints for the element nodes and attributes (paragraph [0032]). The annotated tree is then compiled into AAE (paragraph [0033]).

The annotations in Fuh do not relate to property information pertaining to the schema level of the nodes. Instead, the annotations are directed to attribute annotations (in the annotated tree, see Figure 5 and paragraphs [0036]-[0038]). The AAE format appends start and end tag tokens for each element in the tree structure (paragraph [0039]). Such tag tokens,

as well as the attribute annotations in the annotated tree, are completely different from annotations that relate to property information pertaining to the schema level of the nodes, as claimed.

Moreover, according to Fuh, "The annotated automaton encoding is thus the XML schema definition in AAE format" (paragraph [0033]). However, Fuh is silent regarding the XML schema defining characteristics of a non-XML data stream. It is noted that regarding dependent claim 17 (dependent from claim 13, discussed below), the Office Action states that Fuh discloses annotating the XML schema to describe non-XML data streams (page 7). However, Fuh's annotations referenced by the Office Action (Figure 3, and paragraphs [0040] and [0041]) are merely the annotations described above, and these annotations do not define characteristics of a non-XML data stream.

Olsen describes generating an API from a schema, and describes that an element may support additional elements, and Hohmann describes inputting data from XML and non-XML documents into an IP asset manager, and extracting information therefrom. There is no teaching or suggestion that characteristics of the non-XML documents are defined within an XML schema. Therefore, even if Fuh were combined with Olsen and/or Hohmann, there would be no nodes that define characteristics of a non-XML data stream that are annotated with property information pertaining to their schema level.

Thus, there is no teaching or disclosure (1) that the annotations relate to property information pertaining to the schema level of the nodes, and (2) that such an XML schema defines characteristics of a non-XML data stream, as claimed.

Based on the foregoing, claim 1 should not be rejected as being unpatentable over Olsen in view of Hohmann and Fuh. Thus, claim 1 is patentable for the reasons set forth above. Claims 2-4 are dependent from claim 1, and are therefore allowable as well. Withdrawal of the rejections of claims 1-4 under 35 U.S.C. § 103(a) is respectfully requested.

Claims 13-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fuh et al. (US 2004/0073870). Claim 13 includes the features of annotating the extended functionalities with property information pertaining to schema level of nodes in an XML schema. As described above, such annotations are neither taught nor suggested by the prior art, including Fuh.

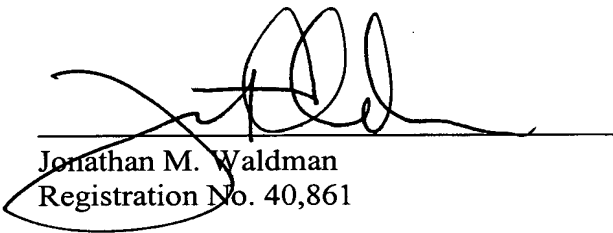
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Based on the foregoing, claim 13 should not be rejected as being unpatentable over Fuh. Thus, claim 13 is patentable for the reasons set forth above. Claims 14-20 are dependent from claim 13, and are therefore allowable as well. Withdrawal of the rejections of claims 13-20 under 35 U.S.C. § 103(a) is respectfully requested.

In view of the foregoing amendments and remarks, Applicants submit that the above-identified application is in condition for allowance. Early notification to this effect is respectfully requested.

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